IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1699 OF 2004
IN
INCOME TAX APPEAL (L) NO.744 OF 2004

The Commissioner of Income Tax .. Applicant.
V/s.
M/s.Deswani & Co. .. Respondent.

Mr.A.S. Rao i/by Mr.Pankaj Kapoor for the applicant.
Ms.Beena Pillai i/by D.M. Harish & Co. for the respondent.

CORAM : F.I. REBELLO &
J.P. DEVADHAR, JJ.

DATED : 9TH JULY, 2007.

P.C. :

1. From the additional affidavit filed by Shri Arvind R. Deshpande which has been described as better affidavit in which various dates whereby steps were taken for the purposes of filing Appeal has been set out. It is pointed out that the Chief Commissioner of Income Tax-7, Bombay approved filing of Appeal on 14th October, 2002 and the file was sent to the Ministry of Law. The draft Appeal was received on 18th March, 2004. In other words, there is no explanation as to why it took more than one year and five months for drafting the Appeal Memo.

2. In our opinion, the cause shown, therefore, would not amount to sufficient cause. Hence, the notice of motion is dismissed.

(J.P. DEVADHAR, J.) (F.I. REBELLO, J.)